

REMARKS/ARGUMENTS

Claims 1, 10, 11, and 19-24 are pending in this application. Of these claims, claims 1, 10, 11, and 21-24 have been amended. For at least the reasons stated below, Applicants assert that all claims are in condition for allowance.

STATUS OF CLAIMS

Applicants are unclear regarding the status of each pending claim. The Office Action Summary states that claims 1, 10, 11, and 21-24 are pending and rejected. Paragraph 2 of the Office Action states that claims 1, 10, and 11 are rejected. No other mention of pending claims 19-24 is provided in the Office Action. None of claims 19-24 are indicated as being rejected, objected to, or allowed in the Office Action. The last sentence of Paragraph 2 of the Office Action appears to be directed to claims 19-24, however, no claim numbers are provided. Applicants have responded to the Office Action with the understanding that the Examiner intended to indicate that all pending claims 1, 10, 11, and 19-24 are rejected. Applicants respectfully request clarification if this is not the case.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1, 10, and 11 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by *Bergh et al.*, U.S. Patent No. 6,112,186 (*Bergh*). Applicants assert that *Bergh* fails to disclose or suggest every element of every claim. MPEP § 2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v.*

Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim...

The invention, as presently claimed in independent claims 1, 10, and 11, provides for reporting personalized rating information, including the following elements:

- providing a database that stores a plurality of user profiles corresponding to a plurality of users, wherein each user profile comprises a set of personal information data;
- wherein a first subset of users from the plurality of users have each submitted product/service rating data for at least one product or service; wherein the product/service rating data is stored in the user profiles in the database corresponding to the first subset of users;
- receiving from a requesting user a request for rating information for a desired product/service, wherein the requesting user is one of the plurality of users;
- identifying a first set of user profiles, wherein each of the users associated with the first set of user profiles are from the first subset of users who have previously submitted product/service rating data for the desired product/service;
- mapping the personal information data in the first set of user profiles along multiple dimensions to the personal information data in the user profile of the requesting user;
- filtering the first set of user profiles to create a second set of user profiles, wherein the second set of user profiles includes a predetermined number of user profiles, such that the second set of user profiles includes those profiles that most closely mapped to the user profile of the requesting user along multiple dimensions;
- and
- determining whether the second set of user profiles is sufficiently similar to the user profile of the requesting user to satisfy a predetermined conformity requirement.

Because not every element of every claim is taught by the cited reference, Applicants assert that the Examiner's § 102 rejections are unsupported by the art and should be withdrawn.

Applicants have amended independent claims to more clearly recite that the first set of user profiles are obtained from users associated with the first subset of users. That is, the first set of user profiles retrieved are profiles of users that have submitted product/service rating data for a particular product or service. Therefore, Applicants' invention initially reduces a number of users to only those users who have profiles stored within a system of the invention.

After the initial reduction is performed, Applicants' invention identifies a first set of user profiles from the profiles associated with the first subset of users. The first set of user profiles is then filtered to create a second set of user profiles. Thus, a procedure involving three (3) steps is used to obtain a set of user profiles. These user profiles are those profiles that most closely map to a user profile for a user requesting rating information for a particular product or service. The art of record, including *Bergh*, does not appear to disclose a system that first reduces a number of users from which a set of user profiles is created, identifies a first set of user profiles in which to apply a filter, and then filter the first set of user profiles to create a second set of user profiles. Accordingly, the "identical invention [is not] shown in as complete detail" as Applicants' invention.

The Art of Record Does Not Teach the Invention

For at least the reasons stated above, the cited reference clearly fails to disclose the "identical invention" and "every element" of Applicants' independent claims 1, 10, and 11. Accordingly, Applicants respectfully request that the Examiner's 35 U.S.C. § 102 rejection as to these claims be withdrawn. Further, because the cited reference fails to describe, expressly or inherently, each and every elements set forth in independent claims 1, 10, and 11, the reference also fails to describe each and every element set forth in claims 19-24, which depend upon the independent claims. For example, claim 19 recites

that repeating the filtering and determining steps is performed "wherein the predetermined conformity requirement is relaxed." By relaxing the conformity requirement, this would enable additional user profiles to be retrieved. For example, if a filtering step was performed using a conformity requirement of a particular geographic location and only two (2) user profiles were located, the conformity requirement may be relaxed to include a broader geographic location such that a larger number of user profiles may be located. This process may be repeated until a desired number of user profiles are located.

Claim 20 recites that repeating the filtering and determining step is performed "wherein the predetermined number of user profiles is reduced." This has an opposite effect as that recited in claim 19. Instead of increasing a number of user profiles, the step according to claim 20 operates to reduce a number of user profiles. The art of record, including *Bergh*, does not appear to disclose a system that may both increase or decrease a number of user profiles based on different criteria.

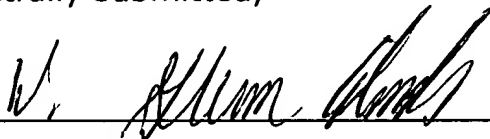
Furthermore, Applicants assert that it would be unobvious to one of ordinary skill in the art to modify *Bergh* to provide the invention claimed by Applicants.

Conclusion

For at least the reasons stated above, Applicant submits that all pending claims are now allowable over the art of record and respectfully requests reconsideration and the rejections be withdrawn. Applicants request that a Notice of Allowance be issued in this case. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the undersigned can be reached at the telephone number listed below.

Should any additional fees be necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference #60021-302901).

Respectfully submitted,

By 

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